United Nations S/2004/443

Security Council

Distr.: General
2 June 2004

Original: English

First report of the Secretary-General on the United Nations Operation in Côte d'Ivoire

I. Introduction

1. By its resolution 1528 (2004) of 27 February 2004, the Security Council decided to establish the United Nations Operation in Côte d'Ivoire (UNOCI) for an initial period of 12 months, as from 4 April 2004. At the same time, the Council requested me to transfer authority from the United Nations Mission in Côte d'Ivoire (MINUCI) and the forces of the Economic Community of West African States (ECOWAS) deployed on the ground to UNOCI on 4 April 2004, when the mandate of MINUCI would expire. By that same resolution, the Council also requested me to submit a report every three months on the situation in Côte d'Ivoire, the implementation of the Linas-Marcoussis Agreement (see S/2003/99, annex I) and the implementation of the mandate of UNOCI. The present report was prepared pursuant to that resolution and covers major developments in the peace process since my report of 6 January 2004 (S/2004/3), including the progress made in the deployment of UNOCI.

II. Developments in the peace process

2. During the reporting period, considerable difficulties were encountered in the peace process. However, in December 2003 and January 2004, a number of encouraging developments occurred, giving the Ivorian peace process what was hoped to be a fresh impetus. The Forces nouvelles Ministers returned to the Government of National Reconciliation on 6 January and participated in subsequent meetings of the Council of Ministers, where some of the major legal reforms envisaged under the Linas-Marcoussis Agreement began to be considered. In a meeting with my Special Representative, Albert Tevoedjre, on 14 January, the Secretary-General of the Forces nouvelles, Guillaume Soro, reaffirmed his movement's commitment to remain in the Government of National Reconciliation, as the main forum for implementing the provisions of the Linas-Marcoussis Agreement.

3. At the request of the President, Laurent Gbagbo, the first extraordinary session of the National Assembly was convened to consider some of the draft laws envisaged under the Agreement, including those related to the identification of the

04-36759 (E) 030604

population and the residence status of foreigners, the reconstitution of the Independent Electoral Commission, the establishment of the National Commission on Human Rights, and, subsequently, land reform. However, the draft laws on nationality, the financing of political parties, regulatory regimes for the media, freedom of the press and the amendment to article 35 of the Constitution on eligibility to the Presidency were not submitted for consideration by the National Assembly.

4. On 12 January 2004, President Gbagbo met Mr. Soro for the first time since the Forces nouvelles had suspended their participation in the Government on 23 September 2003. On 25 January, during a visit to the headquarters of President Gbagbo's political party, the Ivorian Patriotic Front (FPI), Mr. Soro stressed the need for all political parties to move ahead in the peace process together. On 28 January, President Gbagbo agreed to restructure the management of the Ivorian Radio and Television, which had been a source of major political friction. Also, in the context of implementing the Linas-Marcoussis Agreement, the Government took some concrete steps towards the redeployment of State administration and the provision of basic services in Forces nouvelles-ontrolled areas, as well as in the west of the country.

5. At the same time, positive developments were registered in the area of military cooperation. On 9 January, the quadripartite commission, comprising the Forces armées nationales de Côte d'Ivoire (FANCI), the armed wing of the Forces nouvelles, the forces of the ECOWAS Mission in Côte d'Ivoire (ECOMICI) and the French forces (Licorne force), signed the Yamoussoukro agreement on the joint operational plan and guidelines for the disarmament, demobilization and reintegration programme. Both FANCI and the Forces nouvelles committed themselves to implementing the programme. On 14 February, the quadripartite commission met in Daloa to consider further plans for the disarmament, demobilization and reintegration process and agreed on the exchange of prisoners of war, which was carried out on 4 March. Subsequently, a simulated disarmament, demobilization and reintegration exercise was undertaken on 20 February, attended by the Prime Minister, Seydou Diarra, who announced 8 March as the date for commencement of the programme.

6. However, late in February, the political climate began to worsen. On 26 February, Mr. Soro declared that unless all key issues of the Linas-Marcoussis Agreement were addressed, his movement would not lay down arms before the October 2005 elections. In a subsequent development, on 3 March, the Democratic Party of Côte d'Ivoire-African Democratic Party (PDCI-RDA) suspended its participation in the Government of National Reconciliation, following a dispute with President Gbagbo's supporters over administrative control of the port of Abidjan.

7. On 7 March, a newly formed coalition of opposition parties, including the PDCI-RDA, the Rally of the Republicans (RDR), the Union pour la démocratie et pour la paix en Côte d'Ivoire (UDPCI), the Mouvement des forces de l'avenir (MFA), the Mouvement patriotique de Côte d'Ivoire (MPCI), the Mouvement populaire ivoirien du grand ouest (MPIGO) and the Mouvement pour la justice et la paix (MJP), which has since become known as the "Coalition des Marcoussistes", also announced their intention to suspend participation in the Government. They stressed that their decision was due to serious concerns over the pace of

implementation of the reforms envisaged under the Linas-Marcoussis Agreement, in particular those relating to the devolution of power from the President to the Government and the discretionary authority of ministers to make certain senior appointments to posts within the departments under their purview. As a result of the renewed political stalemate, the disarmament, demobilization and reintegration programme failed to commence as scheduled on 8 March.

8. On 10 March, groups of "young patriots", who support the President, stormed the Ministry of Justice in Abidjan to protest some appointments made by the Justice Minister, who is also the President of the RDR party, led by a major opposition figure, Alassane Ouattara. They then proceeded to the residence of the Forces nouvelles ministers in Abidjan, announcing their intention to "dislodge" the Ministers. ECOWAS and French forces prevented their attack on the building. Following these developments, on 11 March, the Council of Ministers decided to put into effect a ban on demonstrations. Nevertheless, several days later, the "Coalition des Marcoussistes" announced that they would organize a demonstration in Abidjan on 25 March to protest the stalemate in the peace process and to show support for the full implementation of the Linas-Marcoussis Agreement. President Gbagbo subsequently signed a decree limiting all public demonstrations in Abidjan to "enclosed places", such as stadiums and assembly halls, but the opposition parties maintained their determination to proceed with the rally. In his televised broadcast to the nation on 23 March 2004, President Gbagbo stated that a delegation of the "Marcoussistes" had presented him with a memorandum containing their grievances. The President indicated that a meeting had been scheduled for 29 March to examine all issues outlined in the memorandum.

9. In view of these developments, on 24 March, I issued a statement urging all Ivorian parties to exercise utmost restraint, reduce tensions and avoid any steps that could further exacerbate the situation in the country. I also appealed to the leaders of all Ivorian political parties to demonstrate statesmanship and engage in constructive consultations in order to move forward with the implementation of the letter and spirit of the Linas-Marcoussis Agreement. On the same day, the President of Ghana and current Chairman of ECOWAS, John Agyekum Kufuor, accompanied by the Minister for Foreign Affairs of Nigeria, Oluyemi Adeniji, met President Gbagbo as well as leaders of the opposition in Abidjan in a last-minute attempt to resolve tensions and stave off massive demonstrations in the capital. In the meantime, the Ivorian armed forces and gendarmerie, equipped with heavy military equipment, deployed in full strength in the centre of Abidjan. Public institutions and schools were declared closed until 29 March.

10. On 25 March, demonstrations took place in several parts of Abidjan, resulting in violent clashes between the Ivorian security forces and demonstrators. Sporadic shooting was heard throughout the city, including in the vicinity of the MINUCI headquarters. Although the demonstrations largely subsided in the afternoon, violence and arrests continued in the suburbs of Abidjan on 26 March. Reports varied with regard to the number of casualties, depending on the sources, and allegedly included two police officers. A large number of people were also reportedly injured. According to statistics gathered by the International Commission of Inquiry (see para. 12 below), on the basis of official and other documents received, at least 120 people were killed, 274 wounded and 20 disappeared. On 25 March, demonstrations also took place in Yamoussoukro, where one person was reportedly killed and another injured, and in Bouaké, where no incidents were

reported. On the same day, I was obliged to issue another statement, in which I again urged all Ivorian parties and every citizen of Côte d'Ivoire to put the national interest foremost, stop all confrontations and resume, without further delay and without preconditions, the full implementation of the Linas-Marcoussis Agreement. The statement stressed that, at a time when the United Nations was preparing the deployment of a peacekeeping operation, the Ivorian parties must demonstrate the political will to reject all forms of violence and engage in genuine reconciliation and mutual accommodation.

11. The events of 25 and 26 March dealt a serious blow to the peace process. Following these events, Mr. Soro stated that his movement ruled out any possibility of disarmament or a return to the Government as long as President Gbagbo remained in power. However, on 31 March, the "Marcoussistes" presented a number of conditions for the resumption of dialogue with President Gbagbo, including: recognition of their constitutional right to demonstrate; enhanced security for the signatories of the Linas-Marcoussis Agreement to be provided by the Ivorian and "impartial" (French and United Nations) forces; permission to organize the funerals and commemorative ceremonies for the militants who died on 25 March 2004; balanced coverage for all political parties in state-owned media; and the establishment of an international commission of inquiry to investigate all human rights violations that were committed in connection with the events of 25 and 26 March in Abidjan. President Gbagbo and Prime Minister Diarra, as well as the members of the Monitoring Committee established under the Linas-Marcoussis Agreement, also requested the establishment of an international commission of inquiry. At the same time, the Commission for General and Institutional Affairs of the National Assembly established two commissions of inquiry of its own into the events.

12. I supported the requests for an International Commission of Inquiry for Côte d'Ivoire to investigate the events of 25 and 26 March in Abidjan and instructed the Office of the United Nations High Commissioner for Human Rights to proceed with its establishment without delay. The Commission travelled to Côte d'Ivoire from 15 to 28 April 2004 and prepared a report, which was transmitted to the Security Council on 13 May 2004 (S/2004/384, annex). The main conclusion of the report, based on accounts from eyewitnesses and survivors as well as other corroborating evidence collected by the Commission, was that the demonstration of 25 March was used for what had turned out to be a carefully planned and executed operation by the Ivorian security forces, as well as special units and the so-called parallel forces, targeting opposition parties and community groups not only in Côte d'Ivoire, but also in Burkina Faso, Mali and Niger. The report stated that, in spite of public statements to the contrary, all available evidence suggests that there was no significant threat to the security forces by the demonstrators and that the repression and killings that took place in the morning of 25 March, and especially in the following days, represented a level of violence and excessive use of force that was not proportional to the situation at hand.

13. In its report, the Commission made a number of important recommendations, including: the conduct of criminal investigations for those responsible for the execution of the massacres; the establishment of an International Commission of Inquiry to investigate all allegations of grave violations of human rights committed in Côte d'Ivoire since 19 September 2002; the expansion of the mandate of UNOCI to ensure the protection of witnesses to the indiscriminate killings of 25 March and

of relatives of victims of the massacre; the establishment of a mixed human rights court, with the participation of international judges, mandated to prosecute all past serious human rights violations, including those committed prior to 25 March 2004, to put an end to impunity; the dismantlement and disarmament of all armed groups, including the so-called parallel forces, with due consideration to the possible integration of members of these forces into regular security structures of the State; ensuring more effective protection of the basic human rights and fundamental freedoms of all individuals in Abidjan, as part of the efforts of the international community to create an environment conducive to the holding of free and fair elections in 2005; and the establishment of an independent human rights mechanism of the United Nations Commission for Human Rights, such as a country-based special rapporteur or an independent expert.

14. The Acting United Nations High Commissioner for Human Rights, Bertrand Gangapersaud Ramcharan, briefed the Security Council on the findings and recommendations of the report on 14 May. During his briefing, Mr. Ramcharan noted that preparations were under way for the establishment of a new International Commission of Inquiry, which would investigate all serious violations of human rights and humanitarian law committed in Côte d'Ivoire since 19 September 2002. He noted that the earliest establishment of such a Commission, which was envisaged under the Linas-Marcoussis Agreement, had been requested by the Government of Côte d'Ivoire, as well as recommended by the International Commission of Inquiry into the events of 25 and 26 March. Other recommendations, such as the need to establish a United Nations radio in Côte d'Ivoire, the reform and training of the police, and the strengthening of the judiciary, are already being addressed within the framework of the mandate of UNOCI. Those which require an expansion of the mandate of UNOCI, however, may only be considered following a decision of the Security Council on the most appropriate role of the Mission in this regard.

15. In order to give the stalled peace process new impetus, a high-level delegation led by the Under-Secretary-General for Peacekeeping Operations, Jean-Marie Guéhenno, and comprised of senior officials from France, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Executive Secretary of ECOWAS, Mohamed Ibn Chambas, and a representative from the African Union, travelled to Côte d'Ivoire from 15 to 20 April 2004. The delegation conveyed a strong message to the Ivorian parties, stressing that the deployment of UNOCI at the invitation of all Ivorian parties was tantamount to a contract between them and the international community, which the Ivorian parties had to respect. The international community was prepared to help Côte d'Ivoire to restore peace and normalcy, including through the deployment of UNOCI, but the Ivorian parties had the responsibility to proceed without further delay and in good faith with the implementation of the Linas-Marcoussis Agreement.

16. To that end, the high-level delegation strongly encouraged President Gbagbo to use his authority to establish all necessary conditions to enable the Government to function effectively. These should include the President's full support for his Prime Minister, greater freedom for the ministers to appoint their aides and the immediate dismantling of any parallel government structures, which undermined the Government's authority as well as its ability to govern unhindered. The delegation also urged all parties to refrain from violence and called upon the Forces nouvelles to proceed with disarmament without delay. Finally, the delegation indicated that the international community was ready to consider further steps to encourage full

implementation of the Linas-Marcoussis Agreement and to promote the process of national reconciliation in Côte d'Ivoire, including by taking action, if necessary, against individuals whose activities were an obstacle to the full implementation of the Agreement.

17. On 24 April, the "Coalition des Marcoussistes" held a march and a memorial service to commemorate the victims of the events of 25 and 26 March. In order to prevent violence, UNOCI and the Licorne force assisted the Ivorian security forces in maintaining law and order during the demonstration. Some 10,000 people participated in the event, which took place without any serious incidents. Some 20,000 "young patriots" and other supporters of President Gbagbo also held a rally in Abidjan on 25 April, demanding that UNOCI immediately proceed with the disarmament of the Forces nouvelles. At that rally, the President of the "young patriots", Mr. Ble Goude, asserted that his group had the right to hold a rally in the Forces nouvelles stronghold of Bouaké with the same security protection as had been provided to the "Marcoussistes" in Abidjan.

18. In the meantime, the political stalemate continued and the parties appeared to harden their positions. On 26 April, at a gathering in the northern city of Korhogo, the Secretary-General of the Forces nouvelles, Guillaume Soro, stated that his movement would not disarm or return to the Government as long as President Gbagbo remained in power. He also indicated that the Forces nouvelles would re-establish social services and a police force in the areas under their control.

19. On 28 April, a delegation of the "Coalition des Marcoussistes", escorted by UNOCI troops, travelled to northern Côte d'Ivoire for meetings aimed at promoting reconciliation. On 5 May, Prime Minister Diarra gave the "Coalition des Marcoussistes" formal assurances of impartial treatment in access to the State media and of enhanced security, thereby satisfying the two remaining preconditions for the return of their Ministers to the Government of National Reconciliation. In addition, at its first ordinary session on 6 May, the National Assembly decided to resume the debate on the amended law on identification, as well as to consider several other draft laws envisaged under the Linas-Marcoussis Agreement.

20. On 13 May, however, a group of about 1,000 pro-FPI supporters, primarily belonging to the Federation estudiantine et scolaire de Côte d'Ivoire (FESCI), gathered at UNOCI headquarters to protest the report of the International Commission of Inquiry. Some 200 Ivorian gendarmes were deployed to maintain security during the demonstration, which was peaceful. Demonstrations were also held outside UNOCI offices in Daloa, Bondoukou and Yamassoukro, where militant groups vented their frustration at the report of the Commission of Inquiry and demanded the immediate disarmament of the Forces nouvelles.

21. The situation further deteriorated on 18 May, when President Gbagbo announced the suspension of support to the opposition ministers who had boycotted the meetings of the Cabinet since early March. The same day, President Gbagbo signed a decree announcing the dismissal of three opposition ministers, including Mr. Soro, who were immediately replaced by representatives from FPI. In response, the Forces nouvelles issued a declaration stating that they were withdrawing all their remaining representatives from the capital to Bouaké.

22. On 19 May, the situation, especially in Abidjan, became very tense. Several businesses and schools were temporarily closed, while some international

organizations with offices in the Ivorian capital have taken extra measures to protect their staff. Threats to UNOCI personnel from pro-Gbagbo supporters have been escalating, as have rumours that Prime Minister Diarra may resign, which would likely lead to a major confrontation between supporters of President Gbagbo and the opposition. On 20 May, I issued another statement expressing my deep concern at the disturbing turn of events in Côte d'Ivoire, appealing to all Ivorian parties to stop mutual recriminations, to implement faithfully their commitments under the Linas-Marcoussis Agreement and to immediately resume political dialogue, with a view to ensuring the effective functioning of the Government of National Reconciliation. I also called on all parties concerned to desist from any action that may lead to further violence and confrontation and urged them to cooperate with the Monitoring Committee and my Special Representative in the resolution of outstanding issues on the basis of mutual respect and accommodation.

23. On 24 May, a crowd of demonstrators outside the UNOCI headquarters in Abidjan prevented staff from entering or leaving the building for most of the day. My Special Representative appealed to the authorities during the day for assistance in resolving the situation. However, it was not until the late afternoon that gendarmes, using tear gas, intervened and the demonstrators were dispersed.

24. In the meantime, my Special Representative and the Monitoring Committee have been intensifying efforts to restart the dialogue between the parties and to prevent the current impasse from causing irreparable damage to the Linas-Marcoussis Agreement. In an attempt to help the parties overcome the current political stalemate and proceed with the implementation of the Agreement, the Monitoring Committee has formulated a programme of work. The programme deals with issues related to the implementation of the disarmament, demobilization and reintegration programme, including a timetable for disarmament, demobilization and reintegration operations; legislation relating to the identification process; the reunification of the country, including by redeploying the State administration and the provision of basic services throughout Côte d'Ivoire; the reconstitution of the Independent Electoral Commission; equal access by all political groups to public media; security arrangements for leaders of political parties and candidates for Presidential elections; as well as measures aimed at economic recovery.

III. Deployment of the United Nations Operation in Côte d'Ivoire and the security situation

25. On 4 April, UNOCI officially replaced the United Nations Mission in Côte d'Ivoire (MINUCI) and Major-General Abdoulaye Fall of Senegal, former Commander of the ECOMICI force, was appointed Force Commander of UNOCI. A ceremony to mark the re-hatting of the ECOWAS troops from Benin, Ghana, Niger, Senegal and Togo already present on the ground was held on 5 April, with the participation of Prime Minister Diarra. Representatives of Ivorian political parties, religious leaders and members of the diplomatic corps attended the event.

26. As at 25 May, the Mission's troop strength stood at 3,004, out of a total authorized troop strength of 6,240 military personnel. Approximately half of the troops are former ECOMICI re-hatted contingents, with the other half comprising 63 officers at Mission headquarters, 123 military observers, 171 personnel of the French engineering company, 305 personnel from the advance party of the

Bangladesh contingent and the 726-strong Moroccan contingent, which completed its deployment on 24 May. One infantry battalion, one engineering company from Bangladesh and a Pakistani transportation company are expected to join the Mission by the end of June. All troop deployments, with the exception of the helicopter unit, are scheduled to be completed by the end of July, with the arrival of remaining infantry battalions from Bangladesh and a Pakistani engineering company. All contingents will be deployed under "wet lease" arrangements and are expected to be fully self-sufficient with regard to logistical requirements, except rations and fuel, which will be provided by the United Nations.

27. UNOCI has taken over the operational responsibilities of MINUCI military liaison teams and ECOMICI forces. Liaison activities of the newly established force with FANCI, Forces nouvelles and the Licorne forces are being strengthened. Special emphasis is being placed on operational coordination, in particular with the Licorne force. A UNOCI Crisis Management Centre, including a Strategic Planning Cell, has been established. In addition, President Gbagbo has nominated a senior representative to act as liaison officer between UNOCI and the Ivorian security forces. After ensuring a balanced deployment in the "zone of confidence", UNOCI will focus on the establishment of its positions in critical and volatile areas both in the north and south of the zone, where most of the serious human rights abuses are reportedly perpetrated, with a view to facilitating a smooth reunification of the country.

28. With regard to the Mission's civilian police component, its strength stood at 49 civilian police personnel as at 19 May, while the UNOCI Police Commissioner has been present on the ground since the end of March. The focus of this component will be on the establishment of a national training programme for the National Police and the Gendarmerie and the provision of technical assistance for the reform and restructuring of these institutions. In addition, the UNOCI civilian police component has been consulting with the Ivorian security forces with regard to the deployment of civilian police officers. In this regard, joint patrols with the National Police and the Gendarmerie and the Licorne force in the zone of confidence and in the south, as well as with the Forces nouvelles in the north, are envisaged.

29. While the deployment of UNOCI and its initial activities have had a positive impact, the security situation in the country remains dangerously fragile. Serious tensions have continued throughout the country, at times resulting in shooting incidents, particularly in the western towns of Duékoué and Gagnoa. On 3 and 4 March, violent attacks against the civilian population perpetrated by unidentified groups in the village of Bodroumé resulted in the death of 11 villagers, while 16 others were injured. Additionally, there has been a recent increase in militia activities in connection with the return of the Burkina Faso plantation workers to parts of the western region. In particular, ethnic clashes have regularly been reported between Guere activists belonging to a pro-FPI organization called Union patriotique pour la résistance du grand ouest (a wing of the "young patriots") and the local Burkina Faso population.

30. In the north, in February and March, inter-factional fighting escalated between the military wings of the Forces nouvelles. Currently, the movement is in the process of consolidating its ranks with the appointment of a number of new commanders.

31. The continued de facto partitioning of the country has also contributed to the general climate of uncertainty, which has reinforced fears of a possible resumption of civil conflict. Of particular concern in this regard are the measures reportedly taken by the Forces nouvelles to strengthen their administrative activities in the areas under their control, including payment of salaries to elements of the army and police and the establishment of custom services. The Forces nouvelles have also suspended their participation in meetings of the quadripartite military commission, while FANCI are no longer taking part in joint patrols with the Forces nouvelles. Hence, regular exchanges between the military forces have all but stopped.

32. During the days preceding the 25 March demonstrations, there was an unprecedented deployment of FANCI elements in major cities across the Government-controlled parts of Côte d'Ivoire. Deployment was especially heavy in Abidjan, Yamoussoukro, San-Pédro, Guiglo, Daloa and Duékoué. Some of the checkpoints that were re-established during that period are still in place. Rumours of impending attacks on FANCI-held areas further aggravated the situation, keeping the force on high alert.

33. Since the events of 25 and 26 March, the security situation in Abidjan has deteriorated. As reported above, there have been various demonstrations in the capital over the past few weeks, mainly organized by pro-FPI supporters to protest the findings of the International Commission of Inquiry and the delay in the implementation of the disarmament, demobilization and reintegration programme. Although mostly peaceful, the demonstrations are characterized by increasingly worrying vitriolic threats by "young patriots" to resort to violence against UNOCI if the Forces nouvelles are not disarmed by the end of May. On 17 May, a group of violent demonstrators in Toumodi threw stones at a UNOCI convoy proceeding from Abidjan to Yamassoukro. Anonymous threats have also been issued against some members of the United Nations Mission. In its contacts with the Ivorian authorities, the United Nations has emphasized that UNOCI was established at the request of all Ivorian parties, and that the Ivorian authorities have full responsibility for the safety and security of its personnel and assets.

34. Since late March, the Licorne force has also been subject to some hostile actions by various local armed elements and civilians, including the Forces nouvelles and FANCI, due to what was perceived by many as their failure to prevent the violence in Abidjan on 25 and 26 March.

IV. Human rights

35. In the wake of the events of 25 and 26 March in Abidjan, the already precarious human rights situation throughout Côte d'Ivoire has further deteriorated. As reported above, the Office of the United Nations High Commissioner for Human Rights established an International Commission of Inquiry to investigate the human rights violations perpetrated in connection with those events. However, reports of previous violations have often received little response from the authorities. In addition, owing to lack of adequate access to legal assistance for victims, only a few incidents have been documented, thereby contributing to an overall climate of impunity. The proposed establishment of the wider Commission of Inquiry, envisaged under the Linas-Marcoussis Agreement, may help improve the situation.

36. Human rights violations have included arbitrary detention of civilians, extrajudicial killings, as well as discrimination and violence on the basis of nationality, ethnic origin, gender and political opinion, which have compounded the already existing sentiments of exclusion. In addition, following the events of 25 and 26 March, checkpoints have been re-established, especially in Abidjan and its environs, resulting in a dramatic increase in restrictions to freedom of movement. Paramilitary groups, who man the checkpoints, have reportedly been responsible for repeated acts of harassment, intimidation and extortion.

37. In the northern part of the country, which is under de facto control of the Forces nouvelles, reported instances of human rights abuses have also included acts of extortion, arbitrary tax collection, forceful abduction and summary execution. Although the victims have often been civilians, it would appear that many abuses are motivated by increasing fragmentation within the Forces nouvelles and rivalry among various armed factions. Some non-governmental organizations have also been subject to extortion and other forms of harassment in the north, while several humanitarian agencies have had their freedom of movement limited. In addition, the collapse of the judicial system has led to a dramatic increase in cases of child prostitution and sexual violence perpetrated by various uniformed elements, in particular in the town of Bouaké. As reported above, ethnic clashes in the west have also resulted in very serious human rights violations.

38. Not only does freedom of the press remain severely curbed, but physical threats against national and foreign journalists have become more frequent. Recently, a prominent international journalist working in Abidjan was reported missing. To date, his whereabouts remain unknown. In addition, in recent months, the Ivorian media have unleashed a considerable amount of hate propaganda, which, coupled with the widespread lack of objectivity of most local news reports, has become a major destabilizing factor. It is to be noted, in this regard, that most Ivorian media, especially in Abidjan, remain under the direct control of political parties.

39. The Special Rapporteurs of the United Nations Commission on Human Rights on freedom of opinion and expression and on racial discrimination, xenophobia and intolerance, undertook missions to Côte d'Ivoire from 28 January to 5 February 2004 and from 8 to 20 February 2004, respectively. In addition, as noted above, an International Commission of Inquiry, established by the Office of the United Nations High Commissioner for Human Rights, travelled to Abidjan to investigate the events of 25 and 26 March (see S/2004/384, annex). UNOCI and the United Nations Development Programme (UNDP) provided administrative and logistical support to the Commission, as well as to the missions of the Special Rapporteurs.

V. Preparations for the elections

40. The implementation of the electoral aspects of the Linas-Marcoussis Agreement has been negatively affected by the current political crisis. Since my report of 6 January, the National Assembly, meeting in extraordinary session, adopted a law on the identification and residence of aliens. The Government has promulgated a number of decrees concerning the establishment of a National Identification Supervisory Commission, changes to the status of the National Identification Office, procedures for issuance and format of the national identity

card, as well as other decrees appointing the office-bearers and members of the National Identification Supervisory Commission. However, several crucial draft laws approved by the Government are still awaiting legislative assent. In this regard, the National Assembly has recently begun its ordinary session and has several bills tabled before it. I strongly encourage it to work diligently towards the speedy approval of the remaining bills, without which the peace process will not be able to proceed.

41. Another serious concern is that some draft legislation that had already been approved by the Cabinet has yet to be forwarded to the National Assembly for debate and adoption. This legislation includes the draft amendment to article 35 of the Constitution (eligibility criteria for the Presidency), and the draft nationality law. President Gbagbo, however, has indicated that he will only forward the drafts approved in Cabinet to the National Assembly when the country is reunified and State administration is restored countrywide. There has also been continued controversy over the President's intention to present the nationality law and the amendment of article 35 of the Constitution to a referendum after they are approved by parliament. Several signatories to the Linas-Marcoussis Agreement have contended that adoption by the National Assembly would be sufficient, in particular for the law on nationality. As noted in my last report, under the present Constitution only the constitutional amendment of article 35 is required to be submitted to a referendum. I would like to reiterate my appeal to the President to review his position on this matter.

42. Significantly, the reconstitution of the Independent Electoral Commission, as mandated by the Linas-Marcoussis Agreement, has not yet been effected. The Agreement stipulates that the Commission should be reconstituted to reflect a more balanced representation of signatories to the agreement. The Government approved draft on the subject is also currently awaiting consideration by the National Assembly. Pending a parliamentary debate, several opinions continue to be heard, notably in the media and from some political leaders, as to the most desirable modalities for achieving this reconstitution. It is essential, if the reconstituted Electoral Commission is to earn the confidence of the political parties and society at large, that the letter and spirit of the Linas-Marcoussis Agreement be scrupulously respected.

43. The National Identification Supervisory Commission, another crucial body provided for in the Linas-Marcoussis Agreement, was established in January 2004. However, it is unable to function in a satisfactory manner, owing to lack of financial and logistical resources. In light of this, it has not been able to fully carry out its task of overseeing the work of the National Identification Office, as foreseen in the Linas-Marcoussis Agreement. In a bid to overcome these limitations, and with funding assistance from the United Nations and the European Commission, the Commission organized a seminar on the national identification process. The seminar provided a forum for joint discussion among the national institutions involved in the identification and voter registration processes.

44. In the meantime, I dispatched an electoral needs assessment mission to Côte d'Ivoire from 26 January to 6 February to make recommendations on the role that the United Nations could play in support of the Ivorian electoral process. The mission provided an opportunity to seek the views of a broad spectrum of Ivorian political and civil society actors. It also reviewed with various stakeholders the

issues outlined above and potential obstacles to the preparation of credible and transparent elections. The assessment mission's contacts in the country expressed virtually unanimous views in favour of an early and strong United Nations involvement in the preparation of the elections as the only means of ensuring the credibility of the electoral process, especially in regard to its identification and voter registration processes.

45. The assessment mission recommended the establishment of an electoral component within UNOCI, comprising 12 officers at its Abidjan headquarters, with a staff of up to 120 United Nations Volunteers located in field offices in the country's 19 regions. The component would provide technical assistance to the national electoral authorities and closely monitor the electoral preparations throughout the country, with the aim of minimizing the opportunities for manipulation of the electoral process and helping to ensure that there is a level playing field. It is intended to proceed with the deployment of the team in phases, depending on the evolution of the security situation and the electoral process preparations.

46. At the same time, it is obvious that the crises in the Government of National Reconciliation and the slow pace of implementation of the electoral and other aspects of the Linas-Marcoussis Agreement have had a significant impact on preparations for the October 2005 elections, potentially compromising the timetable. A concerted effort will be indispensable if these elections are to be held as scheduled.

47. The overall goal of holding free and fair elections in October 2005 remains a paramount objective that demands the full commitment of all Ivorians. In order to achieve this goal, it will be essential that the parties demonstrate political will, and that the preparations for the elections be accelerated. In this regard, and depending on further developments in the country, the United Nations intends to proceed with the early preparations for the elections. I would also encourage international partners to extend assistance to Côte d'Ivoire in this vital area.

VI. Public information

48. The overall public information climate in the country remains complicated. Transmissions of international radio services such as Radio France International (RFI), the British Broadcasting Corporation (BBC), Africa I and the Voice of America were interrupted at various times between 25 and 29 March 2004 and on 26 April 2004, when demonstrations took place in Abidjan. These interruptions recurred on 5 May 2004, following the leak to the press of the report of the International Commission of Inquiry on the events of 25 and 26 March 2004.

49. Against this background, the UNOCI public information component has stepped up the promotion of understanding of the peace process and the Mission's mandate among political parties and the general population. To that end, the component has launched a series of regular press briefings, with the participation of the Forces Commanders of UNOCI, the Licorne force and United Nations senior officials. In addition, in order to expand the reach of the United Nations public information campaign to the entire country and ensure that non-partisan information is available to all Ivorians, a United Nations radio broadcasting service is in the

process of being established, in collaboration with a network of local radio and other media services.

50. Following the establishment of UNOCI, the Mission's public information component has strengthened its collaboration with the local media, local communities and civil society. Visits have been undertaken to the headquarters of many local media outlets as part of an overall strategy aimed at explaining the peace process and the mandate of UNOCI, especially with regard to the change from MINUCI to UNOCI. The small public information component of the Mission will also continue to support the peace process through a multimedia nationwide public information and advocacy programme in support of the efforts of the Government of National Reconciliation.

VII. Humanitarian situation

51. The current crisis continues to affect in a major way the overall humanitarian situation in the country and the whole West African subregion. It should be noted that some 69,000 refugees still reside in Côte d'Ivoire. The majority are Liberians, living in villages in the western part of the country. Relations between Ivorian host communities and refugees have improved in most parts of the country during the last six months, following the public information campaign launched by the Office of the United Nations High Commissioner for Refugees (UNHCR), in cooperation with the Government, to encourage tolerance and respect for refugees. However, the continued presence and free movement of rebel forces of the Movement for Democracy in Liberia (MODEL) in the western part of Côte d'Ivoire, particularly in Tabou, Guiglo and in the Nicla refugee camp, remains a matter of very serious concern.

52. Another important development during the last six months has been the successful resettlement of over 4,000 Liberian refugees to the United States as part of a major prototype group resettlement operation managed by UNHCR and the United States Government. At the same time, UNHCR intends to start facilitating the voluntary repatriation of some 30,000 Liberian refugees from Côte d'Ivoire and other neighbouring West African countries during the second half of 2004.

53. The continued state of insecurity may, however, lead to a deterioration in the overall humanitarian situation. Recent surveys indicate that malnutrition rates are on the rise in the western part of the country owing to loss of previous harvests, continued displacements, poor roads and limited access of populations to health facilities. The World Food Programme has continued general food distributions in the town of Man, while the Food and Agriculture Organization of the United Nations is providing seeds, tools and fertilizers to about 13,000 internally displaced persons and returnees in Moyen Cavally and several locations in the west. Although communities in certain parts of this region of Côte d'Ivoire have encouraged the return of internally displaced persons to prepare for the start of the agricultural season, insecurity resulting from the tension between ethnic communities continues to cause further displacements.

54. The lack of redeployment of local administration in the territory under the de facto control of the Forces nouvelles has impacted negatively on the provision of health services and education in these areas. As a result of the current crisis, primary and secondary education in Forces nouvelles-controlled areas has been interrupted

for over a year, affecting over one million children. Although the Ministry of Education formally reopened schools in the northern areas on 3 February 2004, the redeployment of teachers there has been slow. In the meantime, United Nations agencies have worked with the Government on the formulation of a National Action Plan to restore the educational system throughout the country and to prepare a pilot programme for reintegrating the increasing numbers of marginalized youth.

55. Also in Forces nouvelles-controlled areas, the health situation remains precarious, owing to the closure of most health-care centres following the departure of up to 85 per cent of the medical staff and lack of medical supplies. The International Committee of the Red Cross (ICRC) and medical non-governmental organizations currently provide medical supplies to about 140 clinics in Forces nouvelles-controlled territory. At the same time, Côte d'Ivoire has the highest HIV/AIDS rate in West Africa, and initial studies indicate that there has been a substantial increase in infections since the conflict began. The crisis has also contributed to an increase in epidemics and diseases such as cholera, yellow fever, meningitis and measles, forcing the United Nations agencies, in cooperation with the World Bank, to focus on combating HIV/AIDS and other pandemic diseases. To address the situation, the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO) have conducted an emergency epidemiological survey throughout the country in recent months, as well as immunization campaigns against measles, targeting nearly one million children.

VIII. Economic situation

56. Côte d'Ivoire's continued political instability and economic stagnation have led to an estimated contraction of 7.4 per cent in real gross domestic product (GDP) between 1999 and 2003. Preliminary estimates suggest that real GDP fell by 3.8 per cent in 2003, dragged down by a sharp drop in industrial production. The overall fiscal balance slipped into a deficit of 1.5 per cent of GDP for 2002. The fiscal situation deteriorated further in 2003, as the continuing political and security concerns raised pressures for crisis-related spending. The crisis also disrupted Côte d'Ivoire's patterns of trade and prevented the country from playing a full role in regional integration policy initiatives.

57. The Ivorian authorities have been encouraged to restore relations with their bilateral and multilateral partners in order to permit a resumption of budgetary and development assistance. In that regard, progress in disarmament, demobilization and reintegration and strengthened coordination within the Government would promote the concerted international effort to aid Côte d'Ivoire. In light of the rise in poverty in recent years, the Ivorian authorities have been encouraged to adopt a realistic timetable to develop a revised poverty reduction strategy paper, based on a broad consultative process.

58. United Nations agencies on the ground, in consultation with the Strategic Study Group led by the World Bank, with the participation of the International Monetary Fund (IMF), have contributed to formulating policies on economic reforms, including the reduction of value added tax (VAT). These measures have helped to stem the tide of economic deterioration and maintain productive capacities needed for the programme of national reconstruction. In addition, the United Nations Industrial Development Organization (UNIDO), in partnership with UNDP,

the International Labour Organization (ILO) and the World Bank, has reached an agreement with the Government on the implementation of an emergency post-conflict programme, including the relaunching of productive activities. The programme is designed to facilitate resettlement, rehabilitation and reconstruction activities in connection with the disarmament, demobilization and reintegration programme. UNIDO, UNDP and the World Bank have also provided technical and financial support to promote State and private sector consultations and to reinforce policy dialogue between the public sector and private economic actors.

IX. Regional aspects

59. While bilateral initiatives to address the current dangerous stalemate in the Ivorian peace process have continued, there has also been a broadening of subregional initiatives, including through a greater involvement of the West African Economic and Monetary Union (UEMOA), complementing the efforts of ECOWAS. Following the events of 25 March 2004, President Tandja of Niger, current Chairman of UEMOA, visited Abidjan to encourage the Ivorian political forces to resume dialogue. Efforts are also under way to reactivate the Mano River Union with the help of the United Nations, ECOWAS and the European Union.

60. On 20 May, the current Chairperson of the Commission of the African Union (AU), Alpha Oumar Konaré, issued a statement expressing deep concern at the latest developments in Côte d'Ivoire, particularly President Gbagbo's televised message of 18 May and his decree of the same day announcing the dismissal of three opposition ministers. In that statement, Mr. Konaré also appealed to President Gbagbo and to all Ivorian parties to avoid further deterioration of the situation, to create the conditions for the resumption of political dialogue and to proceed with the implementation of the Linas-Marcoussis Agreement within the Government of National Reconciliation. President Konaré also indicated that the African Union was prepared, in cooperation with its partners, to assist in relaunching the peace process in Côte d'Ivoire.

61. Further to my report of 26 March 2003 (S/2003/374 and Corr.1), the United Nations Office for West Africa (UNOWA) prepared a paper, which is expected to be circulated soon, on the regional implications of the Ivorian crisis. The paper was drafted in collaboration with United Nations peacekeeping operations and missions in the subregion, as well as with other regional partners. In addition, as a follow-up to my report of 12 March 2004 on cross-border problems in West Africa (S/2004/200), UNOWA convened two meetings in Dakar in April 2004 to forge mechanisms for cross-border and inter-Mission cooperation in the subregion. UNOCI participated in both meetings.

62. The 29 April meeting examined operational concepts to guide cooperation between the military components of the United Nations Mission in Sierra Leone (UNAMSIL), the United Nations Mission in Liberia (UNMIL) and UNOCI, discussed the establishment of a working group on joint utilization of United Nations resources and possible mechanisms for cross-border and inter-Mission cooperation to pursue an enhanced regional approach. Special focus was placed on the coordination of country-specific disarmament, demobilization and reintegration activities, in view of the perceived major discrepancies in the disarmament, demobilization and reintegration programmes conducted in Liberia and Côte

d'Ivoire. The meeting agreed to address this issue as a matter of priority. The 30 April meeting, in which the Heads of Mission of UNOCI, UNMIL, UNAMSIL and the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS) participated, together with my Special Representative for West Africa, ECOWAS and other concerned partners, reviewed the 13 recommendations outlined in my above-mentioned report of 12 March and discussed the modalities for implementation of the recommendations. Participants also explored various ways to strengthen cooperation between United Nations peacekeeping missions, United Nations agencies in the subregion, civil society organizations and other partners in West Africa. The discussion mainly focused on joint measures to combat the use of mercenaries and child soldiers, the spread of small arms and light weapons, the proliferation of roadblocks, the culture of impunity and prevention of the flows of refugees.

63. In addition, the three United Nations peacekeeping missions, in coordination with the United Nations Office for West Africa, are developing proposals on concrete action in pursuing a regional approach in the implementation of their mandates. These proposals will form the basis of the recommendations I intend to submit to the Security Council later this year, as indicated in my report of 19 March 2004 on the United Nations Mission in Sierra Leone (S/2004/228).

X. Mission support

64. The ongoing transition from MINUCI to UNOCI has been complicated by the fact that MINUCI was not staffed or organized for peacekeeping support operations. Arrangements were therefore made to urgently deploy expert staff from other missions and additional equipment from the United Nations Logistics Base at Brindisi, Italy (UNLB). These measures helped to get the new Mission off to a good start.

65. UNOCI is currently negotiating with the Government of Côte d'Ivoire to acquire a special building for use as an integrated headquarters for the Mission. The building, which is currently empty, will have to be refurbished to meet the Mission's needs, in accordance with United Nations standards. The Mission is also engaged in replacing the temporary logistics support contract operated by Pacific Architects and Engineers with United Nations-supplied rations and fuel contracts from 1 June. The major remaining logistical challenge is equipping the former ECOMICI contingents to United Nations standards. Pacific Architects and Engineers has been providing these units with transport, medical and communications support, and some self-sustainment support. France and Belgium have now offered some support to contingents and the United States may also donate equipment formerly provided through the Pacific Architects and Engineers contract. However, these contingents continue to face severe logistical and operational shortfalls. Dialogue is ongoing between UNOCI, United Nations Headquarters and the Permanent Missions of some donor countries in order to address these problems.

XI. Observations

66. The dramatic events of the last few weeks have brought Côte d'Ivoire to a crossroads. The future of the peace process will clearly depend on whether the

political leaders of the country will be able to rise above their personal ambitions and interests and give priority to the national interest. It will also depend on whether the political parties will be able to break the current vicious circle of recriminations, resume dialogue and resolve all outstanding issues on the basis of mutual respect and accommodation. The full and unconditional implementation of the Linas-Marcoussis Agreement remains the only way out of the severe crisis affecting the country. The only alternative would be further confrontation with the possibility of widespread violence, which would have tragic and unpredictable consequences for the people of Côte d'Ivoire and the entire West African subregion.

67. To avoid a further deterioration of this already very tense situation, determined efforts to resume the peace process must be undertaken by the Ivorian parties with the assistance of the international community. Political rhetoric and posturing, the lack of effective cooperation within the Government of National Reconciliation, deliberately restrictive interpretations of the Linas-Marcoussis Agreement and the de facto partition of the country, coupled with threats of recourse to violence, all constitute very dangerous ingredients that are not conducive to the implementation of the Linas-Marcoussis Agreement. This dangerous state of affairs should not be allowed to consolidate and develop into an overwhelmingly negative political dynamic.

68. Given the circumstances prevailing in Côte d'Ivoire, I would like to appeal to the Security Council, the African Union, ECOWAS and other international stakeholders to continue to play an active role in encouraging all Ivorian parties to resume political dialogue, and to all opposition parties to return to the Government of National Reconciliation without delay. The forthcoming mission of the Security Council to the West African subregion will provide an excellent opportunity to remind all the Ivorian parties of their respective responsibilities in this regard. I also count on the continued involvement of ECOWAS to address the current political crisis in Côte d'Ivoire. In this connection, I would like to commend ECOWAS and the regional leaders for the remarkable efforts they have made to facilitate the search for a solution to the Ivorian crisis. Their contribution has been and will continue to be a vital part of the international community's overall efforts to help restore normalcy in Côte d'Ivoire and the subregion.

69. In the meantime, I have asked my Special Representative, in coordination with the Monitoring Committee, to step up activities to stop the present dangerous deterioration of the situation. To this end, the deployment of the UNOCI military and civilian police personnel will continue, so that the Mission can effectively discharge the tasks entrusted to it by resolution 1528 (2004), once the Ivorian parties are ready to resume the political process to which they freely subscribed under the Linas-Marcoussis Agreement.

70. The precarious humanitarian situation resulting from the conflict and the worsening of the economic situation in Côte d'Ivoire continue to present serious challenges. While the international community is committed to assisting the country in addressing many of the humanitarian challenges, the Government and the Ivorian parties themselves must assume full responsibility for creating a security climate propitious to the safe delivery of humanitarian assistance, and restoring the confidence of its donor partners, which is indispensable for economic recovery.

71. Indeed, in the final analysis, it is for the Ivorians and their political leaders to work together towards a solution to the current crisis and restore peace in Côte

d'Ivoire. As I indicated in the message that I issued to mark the establishment of UNOCI, the United Nations cannot impose, let alone enforce, peace on the Ivorian people, nor can it protect them from themselves. The United Nations, on behalf of the international community, can only fulfil its obligations as envisaged under the understanding reached with Côte d'Ivoire, that is, to assist in restoring peace, including through the deployment of a considerable military and civilian presence. But, the Ivorian parties must equally fulfil their obligations under that moral contract. In this regard, their political leaders and, in particular, President Gbagbo, as the head of State, have a personal responsibility to put an end to mutual recriminations and take concrete steps to resume a meaningful and effective political dialogue and move the peace process forward. On the part of the President, such concrete steps should, at a minimum, translate into ensuring that the ban on all disruptive activities of the militant youth and other groups is enforced without discrimination, that all Ivorians are free to move safely throughout the country and that the Government of National Reconciliation is allowed to initiate the process of legislative reform unhindered. For all Ministers appointed pursuant to the Accra II accords, the personal responsibility involves, primarily, working together within the Government headed by Prime Minister Diarra, towards the implementation, in good faith, of all aspects of the Linas-Marcoussis Agreement. At the same time, all Ivorian political as well as military leaders have a personal responsibility to ensure military cooperation among all concerned parties and the early implementation of the disarmament, demobilization and reintegration process.

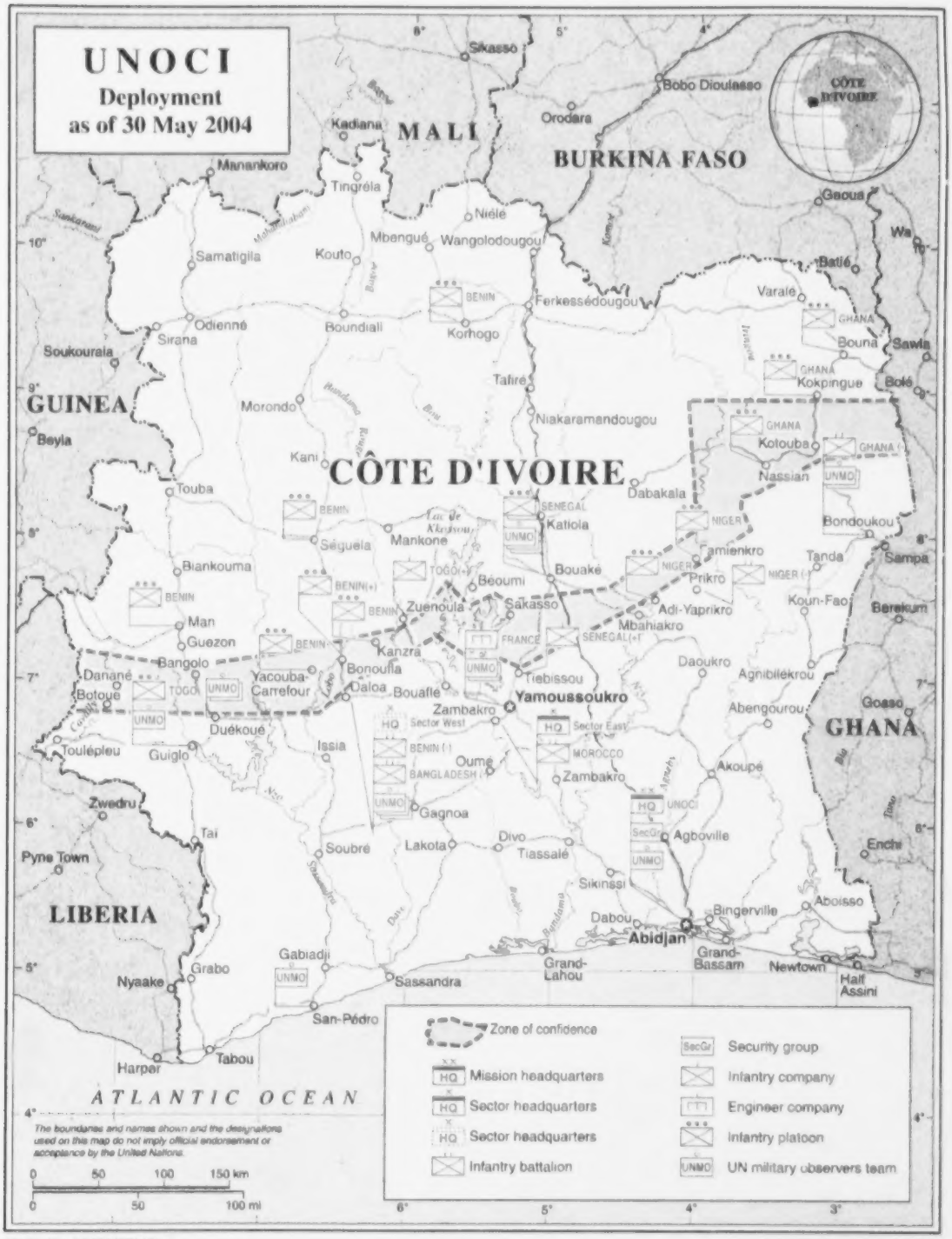
72. In conclusion, I would like to express my appreciation to my Special Representative, Albert Tevoedjre, the civilian and military staff of UNOCI and other United Nations agencies, as well as other humanitarian and development organizations and numerous bilateral donors for their steadfast efforts to support the difficult peace process in Côte d'Ivoire.

Annex

United Nations Operation in Côte d'Ivoire: Military and civilian police strength as on 30 May 2004

Country	*Military component*				*Civilian police*
	Military observer	*Staff officers*	*Troops*	*Total*	
Bangladesh	7	5	369	381	
Benin	9	2	299	310	
Bolivia	3			3	
Brazil	4	1		5	
Burkina Faso		1		1	
Cameroon					10
Canada					10
China	3	2		5	
Djibouti					1
El Salvador	3			3	1
France	2	12	171	185	10
Guatemala	3			3	
Ghana	6	5	342	353	
Gambia	5	1		6	
India	3	5		8	
Ireland	2			2	
Jordan	4	4		8	
Kenya	3	4		7	
Republic of Moldova	2			2	
Morocco		2	732	734	
Namibia	3			3	
Nepal	2			2	
Niger	4	2	366	372	3
Nigeria	3	3		6	
Pakistan	3	6		9	
Paraguay	8	2		10	
Peru	3			3	
Poland	2			2	
Philippines	1			1	
Chad	3			3	
Romania	4	2		6	
Russian Federation	8	2		10	
Senegal	7	7	278	292	3
Serbia and Montenegro	3			3	

Country	*Military component*				*Civilian police*
	Military observer	*Staff officers*	*Troops*	*Total*	
Spain					
Togo	3		286	289	
Tunisia	3			3	
Turkey					11
Uruguay	2	1		3	
Zambia	2			2	
Total	**123**	**69**	**2 843**	**3 035**	**49**



Map No. 4220 UNITED NATIONS
June 2004

Department of Peacekeeping Operations
Cartographic Section